

24-mj-2033

AFFIDAVIT IN SUPPORT OF COMPLAINT AND WARRANT

I, Jamaal Green, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Deportation Officer at U.S. Immigration and Customs Enforcement (“ICE”) within the U.S. Department of Homeland Security (“DHS”). I have served as a Deportation Officer with ICE since September 2011. As a Deportation Officer, I conduct investigations related to violations of the Immigration and Nationality Act, specifically foreign-born nationals who have been deported from the United States and subsequently re-entered the United States illegally. I am currently assigned to the ICE Enforcement and Removal Operations, Philadelphia, Pennsylvania Field Office, and my duties include investigating violations of Title 8 of the United States Code to include violations of immigration offenses.

2. I make this affidavit in support of a criminal complaint against Oscar MARTINEZ OLMEDO (“MARTINEZ OLMEDO”) because there is probable cause to believe that MARTINEZ OLMEDO, an alien, that is, a not a citizen of the United States, re-entered the United States after removal, in violation of Title 8, United States Code, Section 1326(a).

3. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not set forth all of my knowledge about this matter. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. Where I assert that an event took place on a particular date or at a particular time, I am asserting that it took place on or about the date or at or near the time asserted.

PROBABLE CAUSE

4. On July 14, 2020, ICE received information that MARTINEZ OLMEDO had been arrested by the Coatesville Police Department on February 28, 2020, and charged with the

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following violations of the Pennsylvania Crimes Code: Manufacture, Delivery, or Possession with Intent to Manufacture or Deliver; Conspiracy - Manufacture, Delivery, or Possession With Intent to Manufacture or Deliver; and Firearm Ownership - Duty Of Other Persons. Based on my training and experience, I know that when a police department or other law enforcement agency enters the fingerprints of an alien who has previously been encountered by ICE or another immigration agency into the National Crime Information Center (“NCIC”), ICE receives electronic notification of this fact and any match to the alien’s known fingerprint identification number. The electronic notification showed that the Coatesville Police Department had entered into NCIC MARTINEZ OLMEDO’s fingerprints, which suggested that MARTINEZ OLMEDO, FBI# 372427CC0, had been encountered by the Coatesville Police Department.

5. On December 10, 2024, I conducted a check in the NCIC database for MARTINEZ OLMEDO’s criminal history, as well as his immigration history using FBI# 372427CC0. The check revealed that MARTINEZ OLMEDO had been arrested by the Chicago Police Department on August 18, 2002, on August 24, 2002, on April 27, 2003, on July 6, 2003, on July 15, 2003, on July 18, 2003, and on January 11, 2004. The check also revealed that on October 16, 2020, MARTINEZ OLMEDO was convicted in the Court of Common Pleas for Chester County Pennsylvania, for Manufacture, Delivery, or Possession with Intent to Manufacture or Deliver and Firearm Ownership—Duty Of Other Persons and sentenced to a term of imprisonment. On December 11, 2024, MARTINEZ OLMEDO was taken into ICE custody upon his release from confinement for the aforementioned Chester County conviction.

6. Based on my training and experience, I know that ICE maintains a file on all aliens encountered by ICE. This file, known as the Alien File (“A File”), contains documentation relating to the alien, including his/her photograph, warrants of deportation, fingerprints, documents

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reflecting criminal history, documents reflecting the country of citizenship, and other documents. Each alien is assigned an identification number, referred to as the Alien Number or A#. A search of ICE databases revealed that MARTINEZ OLMEDO has been assigned A# 097 331 090, is a native and citizen of Mexico, and is not a citizen of the United States.

7. I compared the booking photograph of the defendant from his arrest on February 28, 2020, by the Coatesville Police Department to photographs of MARTINEZ OLMEDO in ICE records and confirmed that the defendant is the same individual associated with A# 097 331 090, that is, MARTINEZ OLMEDO.

8. In addition, on August 3, 2021, while in custody for the aforementioned Chester County case, a deportation officer took MARTINEZ OLMEDO's fingerprints. Those fingerprints were sent to Homeland Security Investigations ("HSI") Laboratory for comparison with the fingerprints in MARTINEZ OLMEDO's A-file under A-file # 097 331 090. On October 4, 2021, the HSI fingerprint specialist confirmed the fingerprints were made by the same individual.

9. A review of DHS/ICE records for MARTINEZ OLMEDO's A-file A# 097 331 090 revealed the following:

- a. MARTINEZ OLMEDO's date of birth is September 16, 1980.
- b. MARTINEZ OLMEDO had been arrested by ICE and issued a Warrant of Removal on December 13, 2004.
- c. On December 30, 2004, MARTINEZ OLMEDO was removed from the United States to Mexico.
- d. On August 3, 2021, MARTINEZ OLMEDO was issued a Reinstatement of Removal Order.

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- e. MARTINEZ OLMEDO did not seek permission of the United States Attorney General, or his successor, the Secretary of the Department of Homeland Security, to re-enter the United States following his 2004 removal as required by 8 U.S.C. § 1360(d).

10. I conducted a search of all appropriate databases within the Department of Homeland Security and confirmed that MARTINEZ OLMEDO did not apply for, or receive permission from the Attorney General, or his successor, the Secretary of the Department of Homeland Security, to reenter the United States after being deported.

11. Based on all of the foregoing, I respectfully submit that the facts set forth in this affidavit demonstrate that there is probable cause to believe that Oscar MARTINEZ OLMEDO, illegally re-entered the United States after removal in violation of 8 U.S.C. § 1326(a). I therefore respectfully ask that the Court issue a warrant ordering his arrest for such crime.

/s/ Jamaal Green

Jamaal Green
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to me by telephone

**Pamela A.
Carlos**

Digitally signed by Pamela A.
Carlos
Date: 2024.12.12 17:52:32
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The Honorable Pamela A. Carlos
United States Magistrate Judge